

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:20-cv-00540-RDM**

LEOPOLD et al v. U.S. DEPARTMENT OF JUSTICE
Assigned to: Judge Randolph D. Moss
Cause: 05:552 Freedom of Information Act

Date Filed: 02/24/2020
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**JASON LEOPOLD**

represented by **Matthew Topic**
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: matt@loevy.com
ATTORNEY TO BE NOTICED

Plaintiff**BUZZFEED, INC.**

represented by **Matthew Topic**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. DEPARTMENT OF JUSTICE**

represented by **Christopher M. Lynch**
U.S. DEPARTMENT OF JUSTICE
Federal Programs Branch
1100 L St., NW
Washington, DC 20005
(202) 353-4537
Fax: (202) 616-8470
Email: christopher.m.lynch@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/24/2020	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number ADCDC-6858473) filed by JASON LEOPOLD, BUZZFEED INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Civil Cover Sheet, # <u>5</u> Summons)(Topic, Matthew) (Entered: 02/24/2020)
02/24/2020	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of BUZZFEED INC., JASON LEOPOLD (Topic, Matthew) (Entered: 02/24/2020)
02/24/2020	<u>3</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BUZZFEED INC. (Topic, Matthew) (Entered: 02/24/2020)
02/25/2020		Case Assigned to Judge Randolph D. Moss. (adh,) (Entered: 02/25/2020)
02/25/2020	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh,) (Entered: 02/25/2020)
03/25/2020	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 3/6/2020 (Topic, Matthew) (Entered: 03/25/2020)

		03/25/2020)
03/25/2020	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 3/6/2020. (Topic, Matthew) (Entered: 03/25/2020)
03/25/2020	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/6/2020. Answer due for ALL FEDERAL DEFENDANTS by 4/5/2020. (Topic, Matthew) (Entered: 03/25/2020)
04/03/2020	<u>8</u>	Consent MOTION for Extension of Time to File Answer <i>and Proposed ORder</i> by U.S. DEPARTMENT OF JUSTICE (Lynch, Christopher) (Entered: 04/03/2020)
04/06/2020		MINUTE ORDER: Upon consideration of Defendant's unopposed motion to extend, Dkt. 8, it is hereby ORDERED that the motion is GRANTED. Defendant shall answer or otherwise respond to the complaint on or before April 20, 2020. Signed by Judge Randolph D. Moss on 04/06/2020. (lcrdm2,) (Entered: 04/06/2020)
04/20/2020	<u>9</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit A-C)(Lynch, Christopher) (Entered: 04/20/2020)
04/22/2020		MINUTE ORDER: In light of Plaintiffs' complaint, Dkt. 1, and Defendants' answer, Dkt. 9, it is hereby ORDERED that the parties shall appear telephonically for an initial scheduling conference on May 14, 2020, at 2:15pm. It is further ORDERED that the parties shall meet and confer prior to the scheduling conference to discuss the status of the Plaintiffs' FOIA request and scheduling for further proceedings. Signed by Judge Randolph D. Moss on 04/22/2020. (lcrdm2,) (Entered: 04/22/2020)
05/14/2020		Minute Entry for proceedings held before Judge Randolph D. Moss: Telephonic Initial Scheduling Conference held on 5/14/2020. Both parties, and the Court, appeared via telephone. Defendant shall file their Motion by 5/26/2020; Plaintiffs' Response due by 6/2/2020; Defendant's Reply due by 6/5/2020. (Court Reporter: Jeff Hook.) (kt) (Entered: 05/14/2020)
05/26/2020	<u>10</u>	MOTION to Dismiss by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Declaration of Kara Cain with Exhibit, # <u>2</u> Declaration of Christina Butler with Exhibits, # <u>3</u> Declaration of Vanessa Brinkmann with Exhibit, # <u>4</u> Declaration of Christopher Lynch with Exhibits, # <u>5</u> Text of Proposed Order)(Lynch, Christopher) (Entered: 05/26/2020)
06/02/2020	<u>11</u>	RESPONSE re <u>10</u> MOTION to Dismiss filed by BUZZFEED, INC., JASON LEOPOLD. (Topic, Matthew) (Entered: 06/02/2020)
06/04/2020	<u>12</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the attached Standing Order. See document for details. Signed by Judge Randolph D. Moss on 06/04/2020. (lcrdm2,) (Entered: 06/04/2020)
06/05/2020	<u>13</u>	REPLY to opposition to motion re <u>10</u> MOTION to Dismiss filed by U.S. DEPARTMENT OF JUSTICE. (Lynch, Christopher) (Entered: 06/05/2020)
07/06/2020		MINUTE ORDER: Pending before the Court is the Department's motion to dismiss, which argues, among other things, that Plaintiffs have not asserted a claim for expedited processing and that, in any event, any such claim is now moot. Dkt. 10 at 15. Upon considering the parties' briefing on these points, the Court has determined that a motion hearing is appropriate. Accordingly, it is hereby ORDERED that the parties shall appear for a telephonic motion hearing on July 8, 2020 at 2:00 p.m. The parties shall utilize the same telephone conference number and access code. The parties are ADVISED that they should be prepared to address the following questions: (1) whether Plaintiffs' complaint is fairly read to assert a claim for expedited processing, and (2) whether a claim for expedited processing is moot prior to the agency having issued a final determination under § 552(a)(6)(A), <i>cf. Mutitt v. Dep't of State</i> , 926 F. Supp. 2d 284, 296 (D.D.C. 2013) (interpreting <i>Edmonds v. FBI</i> , 417 F.3d 1319 (D.C. Cir. 2005)). Signed by Judge Randolph D. Moss on 07/06/2020. (lcrdm2,) Modified on 7/6/2020 to add language re: teleconference number (kt). (Entered: 07/06/2020)